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WESTERN CANAL WATER DISTRICT → 19166549780

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FAX TRANSMITTAL SHEET

Date: 9-23-99

Reference: Comments for 1999 EIS/EIR

Please deliver the following page (s) immediately to:

Name: Rick Breitenbach

Company: CALFED

Fax No.: (916) 654-9780

Phone No: _____

From: Ted Trimble

Total number of pages, including the cover page: 5

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September 22, 1999

Rick Breitenbach
CALFED Bay-Delta Program
1416 Ninth Street, Suite 1155
Sacramento, CA 95814**Re: Comments on 1999 CALFED Bay-Delta Draft Programmatic EIS/EIR**

Dear Mr. Breitenbach:

Western Canal Water District (WCWD) appreciates the opportunity to provide written comments on the 1999 CALFED Bay-Delta Draft Programmatic EIS/EIR. WCWD participated in comment preparation through the Butte Basin Water Users Association, of which WCWD is a member. Therefore, these comments should be considered supplemental to BBWUA's comments. Since the document is "general" and not site-specific, WCWD's comments must be "general".

While incorporating the six core programs into one preferred alternative (the Through-Delta Conveyance Alternative) seems a noble idea, it appears that the agricultural community and Northern California will shoulder the burden. In turn, urban and environmental interests will reap huge benefits at the expense of agriculture. WCWD feels that these significant redirected impacts are unacceptable without clearly defined and meaningful mitigation measures, which are absent from the document.

WCWD supports the concept and goals of CALFED, specifically the six core programs. However, we feel that new water storage should be a priority inclusion in CALFED's mission statement as well.

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Water Storage

With projected population increases there will be a critical need for new water supplies. Interim measures such as water transfers and conservation cannot be relied upon to provide reliable permanent supply. CALFED must not just study but actually construct storage facilities. Whether on-stream or off-stream, surface water storage projects provide numerous benefits to California. New water supply, flood protection, recreation and water supply reliability are just a few of the attributes of reservoirs. WCWD insists that CALFED include a time line for construction of storage facilities and be placed on a priority basis in the final EIS/EIR.

The current cost estimate of CALFED's solution is \$5,169,000,000. Of this amount, \$370,000,000 will be used for the "Integrated Storage Investigation Program". However, only \$70,000,000 will go towards surface water storage. Only 1.35% of CALFED's budget will go towards surface water storage investigations! This is absolutely unacceptable compared to 38.69% (\$2,000,000,000) of the budget for water use efficiency and 17.6% (\$910,000,000) for ecosystem restoration.

It is evident that CALFED does not view surface water storage as a viable option. If new surface water storage is not part of the solution, WCWD will not support the Preferred Program Alternative.

Water Transfers/Water Use Efficiency

WCWD has engaged in water transfers in the past (1991, 1992, 1994 Drought Water Bank) and would consider participating in future water transfer programs while encouraging new water storage projects. Water transfers may help the state meet demands for the short term, but long term transfers may have serious local impacts such as aquifer overdraft, water quality degradation and harm to the environment. Water transfers will not achieve local public acceptance without a commitment to new storage.

Water Code section 1011 provides for and encourages the creation and transfer of conserved water. WCWD's goal is to operate at the most efficient level possible. The Department of Water Resources should recognize all conserved water by WCWD (which is owned by WCWD pursuant to WC 1011) as a value to the State and compensate WCWD for its increasing water use efficiency. Without payment or credit, there is little incentive to make capital improvements and to dedicate staff time necessary to expand conservation efforts. CALFED must support the transfer of conserved water in the final EIS/EIR.

CALFED must also recognize past conservation efforts by all water users. If a water district (ag or urban) has implemented water use efficiency measures in the past, they

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should be recognized and credited for such programs. To measure conservation efforts beginning right now would be rewarding current wasters of water and ignoring programs implemented in the past. In essence, WCWD would be penalized for being good stewards and beneficially using water for agriculture and environment, voluntary water conservation efforts including conjunctive use with much political backlash, habitat restoration and removal of four dams on Butte Creek.

There is an obvious disparity between the water transfer and water use efficiency programs. The water transfer program fails to recognize conserved water as transferable. It is conflicting to encourage water conservation without recognition of conserved water as a new water supply available for transfer. In fact, the water use efficiency program (section 4.4) states that reducing losses in the Sacramento Valley would deplete supplies with no net gain.

The failure to recognize conserved water also prevents Sacramento Valley water users from contributing to instream flows for ecosystem benefits (i.e. WCWD conserves water by reducing tailwater and attempts to transfer said water for instream use; it would be unable to do so under the water transfer program because of the no-injury rule). It is unclear why North-State water transfers are emphasized at the same time not permitting conserved water to be eligible. Perhaps WC section 1011 should be amended from a water rights protection provision to a water transfer provision.

Meander Belts

WCWD is strongly opposed to this back to nature concept. Taking several thousand acres of prime agricultural land out of production will put some of our landowners out of business. These meander zones could threaten existing infrastructure within our district. WCWD recently completed the Gary N. Brown Siphon at a cost of approximately \$10,000,000. This project which was a joint funding effort of WCWD, California Urban Water Agencies, U.S. Department of Interior and CALFED Category III Program, helped restore over 25 miles of Butte Creek to unimpeded flow. A meander belt near this area could render the siphon useless. CALFED needs to more carefully consider the negative consequences of the meander zone concept on productive land and/or infrastructures. The significant redirected impacts to WCWD are unacceptable.

Watershed Management

WCWD supports watershed management strategy that will include all stakeholders. Without input by those who will be impacted, there can be no consensus on a plan. Watershed management strategy should not include accumulation of woody debris in creeks and rivers if it threatens the integrity of bridges, levees and other structures. Several bridges in or near our district were damaged in 1997 and 1998 by woody debris that became dislodged by flood waters.

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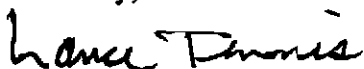
Financing

The discussion regarding financing the CALFED program is vague and inadequate. The concept of "beneficiaries pay" is poorly delineated. Supposedly everyone benefits from all elements of the program, yet causative factors resulting in decline of the Bay-Delta are not discussed. WCWD believes that the entire state has benefited from the utilization of Delta resources and thus, it should be taxpayer supported. However, the so-called "broad-based diversion fee" suggested in the Revised Phase II Report (page 143) as a potential funding source specifically targets water districts and is anything but "broad based". Listed as one of the advantages of the fee is that it is supported by stakeholder groups. As a stakeholder in this process, WCWD does not support that statement and strongly requests its removal from the document.

WCWD also requests the removal of the statement on page A-15 of Appendix A regarding the Bay-Delta hearings: "The result of these hearings will most likely lead to increases in in-stream flows in most, if not all, of the tributaries to the Delta. This change would improve conditions for fish and other aquatic species in those tributaries." It is entirely inappropriate for CALFED to prejudge Phase 8 of the SWRCB hearings.

It is WCWD's sincerest wish that these comments submitted will help the CALFED Bay-Delta program achieve a solid, logical and workable solution to the Bay-Delta without redirecting significant negative impacts to agriculture. WCWD realizes that we must all work together to accomplish the goals at hand. We believe that the only feasible answer to California's long term water problems is building additional surface water storage facilities. If this option is eliminated from the list of solutions, then the result will most certainly be a multiple choice of inadequate answers.

Sincerely,



Lance Tennis, President
Board of Directors, WCWD

cc: Association of California Water Agencies
Northern California Water Association
Butte County Board of Supervisors
Glenn County Board of Supervisors